DEC 0 1 2003

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (atong with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on

Date: November <u>25</u>, 2003

*Saleree* ( 9 Valerie Peterson

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: YONGSAM MOON ET AL.

EXAMINER: TO BE ASSIGNED

**APPLICATION NO.:** 

10/612,840

ART UNIT: 2

2631

FILED:

JULY 3, 2003

CONF. NO:

6861

FOR: TRACKED 3X OVERSAMPLING

RECEIVER

Information Disclosure Statement Within Three Months of Application Filing or Before First Action – 37 C.F.R. § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

# 1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

## 2. <u>Cited Information</u>

$\boxtimes$	Copi	Copies of the following references are enclosed:						
		All cited references listed on PTO 1449 Form enclosed References marked by asterisks The following:						

	Copie No.	es of the following references can be found in parent U.S. Application :						
		All cited references References marked by asterisks The following:						
	paten	application was filed after 30 June 2003 and no copies of U.S. its nor published applications are enclosed (See Notice of Deputy missioner Kunin on 11 July 2003).						
	The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.							
		All cited references References marked by ampersands The following:						
Effect	t of Info	ormation Disclosure Statement (37 C.F.R. § 1.97(h))						
This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.								
Fee Payment								
		believed due because this Information Disclosure Statement is being the mailing date of the first Office Action.						
$\boxtimes$		cant further submits that no fee is due in light of the following cation under 37 C.F.R. § 1.97(e) (check only one):						
		In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart						

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[59472-8086/BY033280.080]

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4.

foreign application not more than three months prior to the filing of this statement; or

In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

## 5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted, Perkins Coie LLP

Date: November 35, 2003

Joyathan P. Kudla Registration No. 47,724

#### **Correspondence Address:**

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300

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